

SENATE COMMITTEE AMENDMENTS

Amendments proposed by Senate Committee on Finance to Engrossed Senate Bill No. 709
by Senator Walsworth

AMENDMENT NO. 1

On page 1, line 2, after "R.S. 43:19," insert "19.1," and change "87(A), and" to "89,"

AMENDMENT NO. 2

On page 1, line 3, change "43:24(D) and (E)" to "43:24(D), and to repeal R.S. 43:87"

AMENDMENT NO. 3

On page 1, line 7, after "R.S. 43:19," insert "19.1," and change "87(A)" to "89"

AMENDMENT NO. 4

On page 1, line 8, change "and (E) are" to "is"

AMENDMENT NO. 5

On page 2, delete lines 2 through 29, delete pages 3 through 5 in their entirety, and insert the following:

"§19.1. Legislative web site

Any legislative or governmental instrument, journal, index, order, report, or other official document of the state which has previously been published in the official journal of the state as provided for in this Title **R.S. 43:81(A)** may be made accessible on the official Internet web site or portal of the Louisiana State Legislature.

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§24. Acts; numbering; **printing**; publication

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B. The secretary of state shall, upon request, deliver copies of the acts, in numerical order by act number, to the person, firm, or corporation to whom the contract for printing acts was awarded. ~~He shall also deliver copies of the acts in the same order to the state printer of the Official Journal of the State for publication in the official journal.~~ The acts shall be published in numerical order by act number. The secretary of state shall endorse in the register required in Subsection A **above of this Section** the date and time of delivery of the acts ~~for publication in the official journal and for printing of the acts.~~

C. The secretary of state shall take all necessary actions to cause the acts and joint resolutions of the legislature to be ~~printed in~~ **made accessible on the Internet website or portal of** the Official Journal of the State within the time limits established by R.S. 43:87 **43:81**. ~~He shall also take all necessary actions to cause the date of such publication in the official journal to be printed below each act in the acts published as provided in R.S. 43:19.~~

D. (1) Within sixty days following the final adjournment of a regular, extraordinary, or emergency session of the legislature, the secretary of state shall cause a notice to be published once in the official journal of each parish, informing the public where the full text of the acts of the legislature may be viewed. Requirements for the notice shall include:

(a) The notice shall appear in a box format with a bolded outline in a size of not less than three columns by ten and a half inches or a comparable size.

(b) Appropriately-sized headline typeface shall be used.

(c) The language of the notice shall be prepared by the secretary of state and shall include the website address for the Official Journal of the State.

(2) The cost of each notice required by Paragraph (1) of this Subsection shall be a maximum of ninety percent of the commercial display advertising rate charged by the official journal of each parish for a similar volume of business.

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§81. Official journal of state

A. The printing of advertisements, public notices, proclamations ~~and the promulgation of all laws and joint resolutions of the legislature~~, and all public notices and advertising to be done by the legislature, or the executive or other departments and institutions of the state government, shall be published in a daily newspaper to be known and designated as the "Official Journal of the State", which newspaper shall have and possess the following qualifications, viz:

(1) It shall possess the ~~second~~ **periodicals** class mailing privilege.

(2) It shall be published in the city of Baton Rouge, Louisiana.

(3) It shall have been so published for at least six days per week for a period of not less than two years prior to the time that it is awarded the contract as the Official Journal of the State, as provided herein.

(4) It shall have an audited paid daily circulation of not less than ten thousand for at least one year prior to the time it is awarded the contract.

~~(5) The publisher thereof shall possess the capability and shall agree to publish all acts and joint resolutions of the legislature within the time limits established by R.S. 43:87.~~

B.(1) For the purposes of Article III, Section 19 of the Constitution of Louisiana, the Official Journal of the State shall be the Internet website or portal of the Official Journal of the State.

(2) All laws and joint resolutions shall be accessible through the Official Journal of the State as defined in this Subsection prior to the sixtieth day after final adjournment of the session in which they were enacted and shall remain accessible for at least one year. Any act that contains an effective date prior to the sixtieth day after final adjournment shall be accessible prior to the effective date contained therein, if possible, or if not possible, as soon as possible after said effective date.

§82. Contract to be let by bids; duration of contract

The contract for printing by the "State Printer of the Official Journal of the State" shall be let to the lowest bidder possessing the qualifications enumerated in R.S. 43:81(A) ~~hereof~~, and shall run for a period of two years beginning July first and ending June thirtieth; ~~provided, that the first contract which shall be awarded under the provisions of this Chapter shall be effective on July 1, 1956.~~

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§89. Cancellation of contract for non-performance; letting of contract for unexpired term; publication of notices or advertisements continued

A. Should the state printer of the official journal of the state fail to comply with the provisions of the contract under the terms of which it or he was designated as such state printer and said contract be cancelled for such failure or non-compliance, after two days' notice in writing to such state printer and his failure to immediately resume his duties and obligations under said contract, the ~~Division of Administration, Office of the Governor,~~ **division of administration** shall give notice of the letting of the contract for the unexpired portion of the ~~two-year~~ **two-year** term thereof by having an invitation for bids inserted in three or more of the leading newspapers published in the state for three weeks prior thereto, and all printing as provided for in this Chapter for said unexpired term shall be let in one contract; provided that if there is no other newspaper published in the city of Baton Rouge, except one with the same principal ownership, which meets the qualifications required by R.S. 43:81(A), such contract for such unexpired term shall be made with a newspaper published in the city of New Orleans possessing all the other qualifications required by said R.S. 43:81(A) except that of domicile.

B. As soon as practicable after any such default in or cancellation of the contract of the state printer, as hereinabove described, the ~~Division of Administration, Office of the Governor,~~ **division of administration** shall negotiate with any other qualified newspaper published in the city of Baton Rouge, other than one under the same principal ownership of the newspaper which is in default, or if

1 there be no other such qualified newspaper published in the city of Baton Rouge then
2 to negotiate with one published in the city of New Orleans for the publication under
3 the best possible terms of all printing required to be published in the official journal
4 of the state until such time as a new contract can be let for the unexpired portion of
5 said ~~two-year~~ **two-year** term.

6 **C.** Should any of the matter required to be printed under R.S. 43:81(**A**) have
7 been published in the official journal of the state prior to the state printer's default
8 under any contract under which it or he was designated as such state printer, the
9 publishing of the same matter by the newspaper employed as state printer until such
10 time as a new contract can be let for the unexpired portion of said ~~two-year~~ **two-year**
11 term, as provided in this Section, for the remaining number of times prescribed by
12 law shall serve as a complete publication, without the necessity of ~~re-publishing~~
13 **republishing** such matter for the number of times theretofore published by the state
14 printer who has defaulted under any such contract. Should any of the matter required
15 to be printed under R.S. 43:81(**A**) have been published in the newspaper employed
16 as state printer until such time as a new contract can be let for the unexpired portion
17 of said ~~two-year~~ **two-year** term, as provided in this Section, the publishing of the
18 same matter by the newspaper awarded the contract for the unexpired portion of said
19 ~~two-year~~ **two-year** term for the remaining number of times prescribed by law shall
20 serve as a complete publication, without the necessity of republishing such matter
21 for the number of times theretofore published by the newspaper employed as state
22 printer, as aforesaid.

23 Section 2. R.S. 43:87 is hereby repealed.

24 Section 3. This Act shall become effective on January 1, 2011."